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Sequence Number: 11-25-10
Notice ID(s): #35 1535
File Date: 11/30/2010

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Professional Soil Scientist Licensing Program
Division:	Department of Commerce and Insurance, Division of Regulatory Boards
Contact Person:	Donna Moulder, Administrative Director
Address:	500 James Robertson Parkway Nashville, Tennessee 37243
Phone:	615-741-3611
Email:	Donna.Moulder@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Don Coleman
Address:	Department of Commerce and Insurance 500 James Robertson Parkway, 5 th Floor Nashville, Tennessee 37243
Phone:	615-741-0481
Email:	Don.Coleman@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	710 James Robertson Parkway
Address 2:	Second Floor Conference Room
City:	Nashville, Tennessee
Zip:	37243
Hearing Date :	01/24/2011
Hearing Time:	9:00 AM <input checked="" type="checkbox"/> _X_ CST <input type="checkbox"/> __ EST

Additional Hearing Information:

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Revision Type (check all that apply):

- ☐ Amendment
☒ New
☐ Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only ONE Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0780-05-06	Soil Scientists
Rule Number	Rule Title

0780-05-06-.01	Purpose
0780-05-06-.02	Definitions
0780-05-06-.03	Application for License
0780-05-06-.04	Application Requirements
0780-05-06-.05	Renewal Requirements
0780-05-06-.06	Retired or Inactive Status
0780-05-06-.07	Fees
0780-05-06-.08	Seals
0780-05-06-.09	Civil Penalties
0780-05-06-.10	Code of Professional Conduct
0780-05-06-.11	Continuing Education
0780-05-06-.12	Reciprocity

Substance of Proposed Rules

Chapter 0780-05-06 Soil Scientists

New Rules

0780-05-06-.01 Purpose	0780-05-06-.07 Fees
0780-05-06-.02 Definitions	0780-05-06-.08 Seals
0780-05-06-.03 Application for License	0780-05-06-.09 Civil Penalties
0780-05-06-.04 Application Requirements	0780-05-06-.10 Code of Professional Conduct
0780-05-06-.05 Renewal Requirements	0780-05-06-.11 Continuing Education
0780-05-06-.06 Retired or Inactive Status	0780-05-06-.12 Reciprocity

0780-05-06-.01 Purpose. The rules in this chapter implement the Tennessee Soil Scientist Licensure Act of 2009, Tennessee Code Annotated, Title 62, Chapter 18 and Section 68-221-409.

Authority: T.C.A. § 62-18-211.

0780-05-06-.02 Definitions.

Reserved.

Authority: T.C.A. § 62-18-211.

0780-05-06-.03 Application for License.

- (1) Any person who seeks to be licensed as a professional soil scientist shall complete an application on a form prescribed by the commissioner and submit such application to the commissioner and accompanied by the required fee and additional documentation.
- (2) Applications for licensure are available upon request from the commissioner.
- (3) Any application submitted which is deficient or fails to meet all application requirements for licensure will be returned to the applicant with written notification of the nature of the deficiencies and will be placed in "pending" status. Satisfactory completion of application must be made within sixty (60) days from the date of initial application. If satisfactory completion is not made within this period the applicant will be deemed denied; however, the applicant may submit a new application and fee.
- (4) Any application submitted may be withdrawn; however, any submitted application fee will not be refunded.

Authority: T.C.A. § 62-18-211.

0780-05-06-.04 Application Requirements.

- (1) Any person who desires to obtain a license as a professional soil scientist shall submit an application to the commissioner, along with the required application fee and all required documentation, including proof that the applicant:
 - (a) Has graduated from an accredited college or university with a Bachelor of Science degree or higher in soils, agronomy or a closely related field. The applicant shall have successfully completed a minimum of fifteen (15) semester hours of course work in soil science;
 - (b) Has at least three (3) years of soil science professional experience. Any combination of the following kinds of education and experience qualify towards accumulating the required (3) years:

1. Masters of science degree in soils, agronomy or a closely related field and two (2) years of professional experience;
 2. Doctorate degree in soils, agronomy or a closely related field and one (1) year of professional experience; or,
 3. Each year of teaching or soil science research by persons teaching upper-level soil science courses at the college or university levels; provided, that such teaching or research can be demonstrated to be of a sufficiently responsible nature to be equivalent to a year of professional experience.
- (c) Has passed the fundamentals and professional practice soil science examinations administered by the Council of Soil Science Examiners (CSSE) within the last two (2) years.

The commissioner shall waive the examination requirement for licensure as a soil scientist for an applicant who makes written application to the commissioner not later than July 1, 2011 and who otherwise meets the requirements of this rule.

Authority: T.C.A. § 62-18-211.

0780-05-06-.05 Renewal Requirements.

Reserved.

Authority: T.C.A. § 62-18-211.

0780-05-06-.06 Retired or Inactive Status.

Reserved.

Authority: T.C.A. § 62-18-211.

0780-05-06-.07 Fees.

- (1) Nonrefundable application fee and initial license fee.....\$500.00
- (2) The examination fee will be set by the entity designated by the State to administer the examination.
- (3) Renewal fee for active license.....\$400.00
- (4) Renewal fee for inactive license.....\$200.00
- (5) Inactive or retirement status fee.....\$25.00
- (6) Reinstatement to active status fee.....\$25.00
- (7) The late renewal penalty fee is \$25.00 per month for each month or fraction of a month that a renewal is late.
- (8) Duplicate license fee because license is lost, destroyed, or mutilated.....\$25.00

Authority: T.C.A. § 62-18-211.

0780-05-06-.08 Seals.

Reserved.

Authority: T.C.A. § 62-18-211.

0780-05-06-.09 Civil Penalties.

Reserved.

Authority: T.C.A. § 62-18-211.

0780-05-06-.10 Code of Professional Conduct.

Reserved.

Authority: T.C.A. § 62-18-211.

0780-05-06-.11 Continuing Education.

Reserved.

Authority: T.C.A. § 62-18-211.

0780-05-06-.12 Reciprocity.

Reserved.

Authority: T.C.A. § 62-18-211.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 11/30/2010

Signature: R. L. Hargett

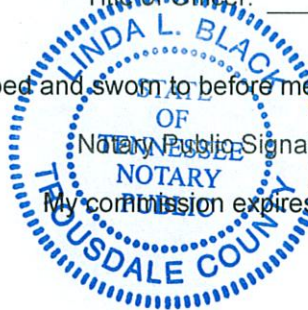
Name of Officer: ROBERT E. HERNDON

Title of Officer: ATTORNEY

Subscribed and sworn to before me on: Nov. 30, 2010

Notary Public Signature: [Signature]

My commission expires on: 5/6/2012



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Filed with the Department of State on: 11/30/10

[Signature]
Tre Hargett
Secretary of State

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